Business Continuity Plan

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Purpose

The impact a pandemic, outbreak or other disruptions to the workforce (excluding a work stoppage) may have on the operations and responsibilities of the Government of the Northwest Territories' Department of Justice (DOJ) is uncertain. However, it is clear that there will be consequences if a significant percentage of employees are unable to work.

While even the best plans may not successfully account for every eventuality, they provide a framework that can be used to limit the impact those work-related absences could have on the operations of the DOJ.

This plan is intended to provide comprehensive direction and response guidance for those responsible for managing various Divisions within the DOJ. It also outlines processes and procedures to support the ongoing delivery of essential services during a pandemic influenza or other serious disruption to the workforce. At the same time, it allows for the flexibility required to deal with the variables such disruptions bring.

This plan represents a first step in assuring that the DOJ is prepared to deal with a worst-case scenario by considering:

- The Department's preparation activities.
- The Department's initial response.
- Linkages and coordination with community, regional and territorial emergency/disaster/business continuity plans. (See Division Continuity Plans.)
- Available resources and potential levels of assistance to ensure the DOJ is able to support other departments and agencies as required (for example redeployment of staff and the Coroner's service). (See Division Continuity Plans.)
- Essential services by Division. (See Division Continuity Plans.)
- Media and public communications. (See Communications.)
- Guidelines for interdepartmental communications. (See Communications.)
- Communication guidelines for interactions between clients, community partners, regional and territorial stakeholders. (See Communications.)
- Recovery and assessment procedures. (See Evaluation and Assessment.)
- Primary and secondary contacts for each Division. (See Division Continuity Plans.)

Responsibility

In the event of a serious shortage of staff, for example caused by a pandemic, the DOJ is responsible for:

- Provision of Coroner Services;
- Provision of legal advice and assistance to government emergency operations officials; and
- Protection and security of correctional institutions populations and evacuation if necessary.

And through the RCMP:

- Back up of local police services;
- Assessment and reporting on the degree of public danger;
- Coordination of public ground search and rescue;
- Identification and handling of dead;
- Establishing a temporary morgue;
- Traffic and crowd control; and
- Providing security of vital points.

The DOJ has also identified the following essential or critical services performed by its Divisions:

- Directorate –Maintaining communications links and assisting with messaging within the DOJ, and between the department, the broader GNWT, Territorial Emergency Response Committee (TERC) communications sub-group and external stakeholders; providing supports to communications and senior managers; day to day oversight and management of the DOJ as well as participation in GNWT planning and activities related to essential service planning/management and contingency planning.
- Community Justice – Maintaining the Victims of Crime Emergency Fund.
- Coroner's Office – The examination of suspicious deaths and/or homicides. The Coroner's office investigates all sudden deaths, but may assist in the investigation of other deaths.
- Corrections, **including Probation** – includes the full range of corrections security, services and programming for offenders who are in the care and custody of the Correctional Service, including correctional facilities and probation/parole services.
- Court Services – includes the full range of courts services required to support the four types/levels of courts in the NWT (Court of Appeal, Supreme Court, , Territorial Court,

Justice of the Peace Court), including administrative and security services during court sittings, filing of documents, distribution of monies, and security of personnel and environs within the Courthouse.

- Finance – Financial processing, facility maintenance, contracts and administration of trust funds and accounts.
- Information Systems – Maintaining systems, networks and essential applications as identified in the IS Division Continuity Plan attached.
- Legal Aid Services – Includes the full range of legal aid services required to take/process applications and provide support during court circuits.
- Legal Division – Determined by clients, internally and externally imposed deadlines, as well as statutes of limitations. In the case of a pandemic, priority would also be given to the Department of Health and Social Services/Health Authorities and other departments on questions related to a pandemic. As well, much of the work required depends on what government-related matters are scheduled to be in courts or before an administrative tribunal.
- Legal Registries – Everything the Division does is provided for in statute, and because it delivers services to public, all activities are seen as essential.
- Legislation – Preparation of regulations or orders under the Public Health Act or the Civil Emergency Measures Act. All legislation, including regulations and orders, must be in English and French.
- Maintenance Enforcement Program – Includes services to monitor, enforce and collect payments from debtors, including payments that are court-ordered or by agreement. A list of which systems and networks deemed essential is listed in the Division Continuity Plan.
- Policy & Planning – There are no essential services in Policy and Planning. However, one position, the policy advisor on information and privacy, could have time-sensitive obligations as ATIPP legislation mandates a reply to requests for information within a specific timeframe.
- Public Trustee – Receiving funds and disbursing funds for estates of deceased persons, mentally incapable persons and minor children.
- Rental Office – Provides information to residential landlords and tenants on respective rights and obligations; rental officer hears and determines disputes and may issue eviction orders.

Emergency Planning Officer

Sylvia Haener, Assistant Deputy Minister and Solicitor General, has been appointed as the emergency planning officer. Her number is 920-6197.

Kim Schofield (Director of Finance, 873-7641) and Laura Seddon (Director of Policy & Planning, 920-3225) will act as alternates.

Communications

The DOJ will have primary responsibility for developing and delivering messages related to issues in their normal mandate. In the case of a serious workforce shortage that has GNWT-wide impact, a specific department will be designated and take the lead in all matters. In the case of a pandemic, for instance, the Department of Health and Social Services will maintain responsibility for human health information, and the Chief Public Health Officer is the main spokesperson.

The DOJ has its own communications needs and concerns in the case of a serious staff shortage. In the interests of providing a single authoritative source of GNWT information and ensuring consistency and accuracy of messaging, the preference is for departmental messaging to be integrated into the lead department's communications vehicles and products.

Departments will be responsible for handling media inquiries in their areas of responsibility and will refer questions outside their own mandate to the appropriate department.

- The Director of Corrections will respond to questions of an operational nature about Corrections Services and facilities. This role may be delegated to facility wardens or other staff as appropriate.
- The Director of Court Services will respond to questions of an operational nature about Court Services. This role may be delegated as appropriate.
- The Chief Coroner and Deputy Chief Coroner will be the spokespeople when asked about coroners' investigations of deaths. They are independent statutory officers who investigate all sudden unexpected deaths and carry out their statutory duties free from government influence. They will respond to questions about coroner cases.

To ensure consistency and coordination, the designated lead department will generate communications products with input from other GNWT departments. In cases where the Department of Justice has unique communications needs it will seek input from and share messaging and communications products with the Emergency Communications Group prior to distribution.

Internal Communication

Internal communications are key to maintaining flexibility during an extensive staffing shortage. While changes and staff requirements will be reported through the appropriate channels as identified in the DOJ communications protocol, direct communications between directors will also be essential.

Each DOJ Manager will be responsible for briefing and providing regular updates to their staff, using resources developed by the Departments of Human Resources and Health and Social Services.

Media and Public Communications

All communications to the media and public will be handled on a case-by-case basis in consultation with the appropriate departments. In the case of a pandemic, media and public communication will be handled in consultation with the Departments of the Executive, Health and Social Services and Municipal and Community Affairs.

The public will be informed about any change in access to services. This will be done through various media strategies as developed by DOJ. The standard communications protocol is outlined in the TERC Communication plan and is implemented in consultation with the appropriate departments.

Contingency Plan

Flexibility will be particularly important in dealing with a serious workforce shortage. Those who are not directly affected may find themselves being asked to perform duties that their co-workers are unable to do — or work that has been left incomplete by those who backfill into other positions as a result of the work shortage. A sense of community in the workplace — helping one another in a time of undue stress — should be encouraged and, as far as can be in the circumstances, rewarded and celebrated.

Technology

All Divisions should assume that in the event of a serious workforce shortage, DOJ Information Services, and the Technology Service Centre (TSC), would only have the ability to provide essential system and network services outlined in its Division Continuity Plan. In the event of a complete failure of the systems and network services, the Information Services Business Continuity Plan will take effect.

Preparedness Planning

A Business Continuity Planning Committee will be established to review the existing DOJ Business Continuity Plan and ensure it is up to date and relevant. The DOJ Business Continuity Planning Committee will include:

- Director of Corrections
- Director of Court Services
- Director of Finance
- Assistant Deputy Ministers
- Director of Policy and Planning
- Communications Advisor

The DOJ Business Continuity Plan will be reviewed and/or revised if new developments or information become available from partners and stakeholders. At a minimum, the plan will be reviewed annually.

The Committee will ensure that copies of the DOJ Business Continuity Plan are kept in various locations throughout the DOJ and posted on the DOJ website.

As well, the Committee will ensure employees are kept up to date on new developments.

Work Continuity Strategies

Each Division will review options and possibilities to ensure essential services are maintained. This may include the use of home telephones, e-mail or the option of working flex hours.

In situations where redeployment support from specific Divisions may be required, confirmation that this is an option should be made prior the implementation of the Business Continuity Plan.

Response

In the case of a serious workforce shortage, the DOJ will:

- The Deputy Minister activates the Business Continuity Plan.
- The Deputy Minister arranges a meeting of Senior Management to discuss, review and clarify roles and responsibilities of each Division to ensure there is clear understanding amongst the group. Following such a meeting, senior managers will be required to follow up with any relevant stakeholders or contractors to ensure linkages and roles are clear.
- Senior managers and other as assigned will provide updates and information to staff and partners to ensure appropriate response.
- Senior managers and other as assigned mobilize appropriate resources.
- Senior manages and others as assigned will confirm distribution of appropriate equipment and supplies.

The DOJ may also engage in communications with the public as required and in a way that is consistent with overall GNWT communications. The TERC will also be active during this phase. Refer to the Territorial Emergency Plan for more details on the TERC and its role.

Plan Review

When the plan is enacted, there will be a review of human resource requirements to ensure that they are appropriate. Stakeholders and partners may be involved in this review as required. For some aspects of the Business Continuity Plan, a role confirmation session may be required to ensure that this is clear. The plan will be revised as required following this review.

Redeployment

The Human Resource client service manager for DOJ will ensure the Department of Human Resources provides appropriate support to the DOJ where the hiring of additional staff or the reassignment of staff is required. Each Division has identified its critical staff needs and approaches for having sufficient resources to deliver essential services. In some cases, this may require the redeployment of staff within the DOJ and from the broader GNWT.

The Human Resources team will be responsible for supporting the redeployment of staff as determined by the need.

Assistance from the Department of Human Resources in accessing payroll systems, placing staffing advertisements and documenting new hires will be essential.

Redeployed employees will receive orientation and training for appropriate duties assigned through either a mentor or supervisor.

The following lists are required in order to be effectively prepared to use the redeployment process:

1. List of non-essential DOJ positions and staff who can be redeployed – identified by which Division they can be redeployed to.

2. Retired or former employees with training and experience who may be called to work as casuals or transfers.

3. Non-essential GNWT staff who are available to work at DOJ, specifically in Corrections.

Process

The following outlines the steps to be followed when redeploying staff to ensure the continuity of essential services within the DOJ. The redeployment process is to be used in the event that Divisions are unable to meet the staffing needs required to perform minimum essential services.

1. Reassign internal Division staff to the affected essential service area as required. Reasons for the need for staff may include (but not be limited to): overtime, interruptions, delays and even cancellations of non-essential services.

2. If the need for people to provide essential services cannot be met at this point, Divisions may hire retired or former employees capable and willing to fill in on a casual basis.

3. If the need for people to provide essential services cannot be met through the staffing aid of non-essential employees or external staff, Divisions will require the Deputy Minister's authority for the mobilization of non-essential DOJ staff. Incoming staff will receive the orientation and required training needed to have them assist with the essential services.

4. If the non-essential DOJ staff deployed to the Division cannot fulfill the essential services, or if not enough DOJ staff is available, the Deputy Minister will authorize as necessary the mobilization of non-essential GNWT staff identified as willing and capable of working at DOJ. Redeployed staff will receive the orientation and required training to have them assist with the essential services.

5. If the requirements for essential services cannot be met with these measures, then the senior management team will meet to determine what alternatives can be pursued.

See Division Continuity Plans for in-depth information on redeployment capabilities and training requirements.

Evaluation and Assessment

An evaluation and assessment will be completed to determine the response to the workforce shortage. A review of roles and responsibilities, effectiveness of response plans, and treatment and response capacity will be valuable information, as it will be used to revise the Business Continuity Plan. The DOJ Business Continuity Committee will be responsible for this review.

Evaluation of the overall pandemic situation will be initiated when the workforce shortage is over.

DOJ will complete an evaluation of its response. The process will include:

- Debriefing with staff.
- Collaboration with stakeholders and partners as appropriate.
- Sharing evaluation results with partners and staff.

Based on the information gathered during the evaluation and review, the Business Continuity Plan will be revised.

Division Continuity Plans

Each Division (and some key areas) has prepared a Business Continuity Plan in the event of a serious workforce shortage. The plan outlines:

- Divisional essential activities
- Staff and minimum staffing requirements
- Redeployment process (outgoing and incoming)
- Critical linkages and relationships
- Contact

Business Continuity Plans have been developed for each of the following:

- Directorate
- Community Justice
- Coroner's Office
- Corrections Services (including all facilities and probation services)
- Court Services
- Finance
- Information Systems
- Legal Aid Services Board
- Legal Division
- Legal Registries
- Legislation
- Municipal Enforcement Program
- Policy & Planning
- Public Trustee
- Rental Office

Directorate

Staff: 5

Minimal staffing requirements: 2

Essential Activities

Communications: Maintaining Communications links and assisting with messaging with the Department, and between the Department, the broader GNWT, TERC communications sub-group and external stakeholders

Administration: Providing supports to communications and senior managers.

Senior manager: Day-to-day oversight and management of the Department as well as participation in GNWT planning and activities related to essential service planning/management and contingency planning.

Moving Staff

Outgoing

Administration staff can assist other Divisions as required (i.e. handling phones and formatting correspondence, etc.).

Communications Advisor can be available to support other Divisions on a part time basis.

Incoming

Administration staff from other units (specifically Finance and Policy) can provide support as required. Little to no training is likely necessary.

Critical Links and Relationships

The Directorate is critical to all other Divisions for decision-making matters.

Policy & Planning – provides support and advice in areas of communications and policy.

Contact

- Primary: Deputy Minister, 920-6197
- Deputy: Assistant Deputy Minister, Solicitor General, 920-6197

Community Justice Division

Staff: 8

Minimal staff requirements: 2 if one of the staff members has knowledge of the financial system

Essential Activities

Victims of Crime Emergency Fund

Two staff and one backfill work on this file.

Moving Staff

Outgoing

Community Justice staff could be transferred to other Divisions in the areas of administration, financial management, counselling, case management and several areas of corrections. As well, many of the staff members have knowledge and experience in areas of essential services such as community corrections and corrections overall, and could be used to support other GNWT departments.

Incoming

Short-term redeployment from other Divisions or Departments would not be particularly helpful because of the specialized nature of the work, and training would require more time and effort than can be given. Long-term shortages would require outside help to fulfill the functions. The Division has implemented some training for backups. The vast majority of the work can take place from home if appropriate computer access is available and documents can be accessed from existing drives or e-mailed to staff.

Critical Linkages and Relationships

Finance Department – issue cheques under the Victims of Crime Emergency Fund program.

In the event of a reduced staff complement or office hours, it would be necessary to advise the community-based agencies and organizations, including the RCMP, who assist victims of crime.

Contact

- Primary: Director, Community Justice, 873-7007
- Deputy: Director's Assistant, 873-7002
- Deputy: Manager, Community Justice Program and Projects, 920-3163

Coroner's Office

Staff: 2 and a contractor; 40 fee-for-service coroners across the territory

Minimal staff requirements: N/A

Essential Activities

During a pandemic period, the examination of suspicious deaths and/or homicides will be a priority. The Coroner's office investigates all sudden deaths, but sometimes assists with other deaths.

Moving Staff

Outgoing

Staff at the Coroner's Office would not be able to provide support to other Divisions or departments.

Incoming

The Coroner's Office has 24/7 telephone access. If the Deputy Chief Coroner were sick, then the phone would be transferred to a senior coroner. If all staff at the Office is unavailable, the office can be shut down, as long as the appropriate notifications are made so the fee-for-service coroners can step in for each other as needed.

Critical Linkages and Relationships

RCMP detachments – investigation of suspicious death

Health centres and hospitals – storage, investigation

Contractors – forensic pathologists who perform autopsies and transportation companies to move bodies.

There are many death investigation partners; the circumstances of the death determine which organization will be assisting (e.g. a plane crash would involve the Transportation Safety Board).

Contact

- Primary: Deputy Chief Coroner, 873-7460
- Deputy: Chief Coroner, 873-7460

The Coroner's Pandemic Contingency Plan follows.

Corrections Services

Each correctional facility, as well as Probation Services, has developed a contingency plan (attached) in case of a serious work shortage. These plans address admissions, medical provisions, meal provisions, staffing as well as prevention.

Staff

The minimal staffing requirements for Correctional Facilities depend on several factors, including:

- The number of inmates,
- What risks the inmates present, and
- Which staff members are sick.

In Probation Services, minimal staffing requirements are also difficult to identify because many Probation Officers work alone in the communities.

At the Directorate level, Corrections could maintain essential services with two staff members, if Corrections is just maintaining custody and everything else is shut down.

Essential Activities

The full range of corrections security, services and programming for offenders that are in the care and custody of the Correctional Service, including correctional facilities and probation/parole services.

Moving Staff

Outgoing

Staff from correctional facilities and Probation Services would not be available for redeployment. While staff from Corrections directorate would provide assistance to the facilities and Probation, they could be called upon to assist with other Divisions.

Incoming

If there is insufficient staff available to maintain essential operations at any correctional facility in the NWT, a request will be made to Division Headquarters for staff to be redeployed to the facility from other non-essential service areas of the Division. Non-essential service workers who are assigned to work at the facility will be given a basic security orientation and will be paired with an experienced Corrections or Youth Officer.

Wardens will maintain a list that may include the following: retired Corrections Officers, Probation Officers, other Department of Justice employees and any other persons deemed suitable. Probation Services has identified 10 potential backfill staff members who have completed Probation Officer Entry Training (support).

At the youth correctional facilities, staff and non-symptomatic offenders can prepare meals for offenders and staff in the Open Custody kitchen.

Critical Linkages and Relationships

Court Services – Could affect remand process if staff shortage there.

RCMP – Corrections works closely with the RCMP, but in a case of extreme staff shortage, Corrections would continue working on the assumption that RCMP is also affected and therefore not available.

Health and Social Services – If HSS staff were affected, Corrections would revert to existing processes of bringing inmates to hospital.

Contact

- Primary: Director, Corrections, 873-7212
- Deputy: Assistant Director, 920-7704
- NSCC Warden, 669-8605
- NSCC Deputy Warden, 669-8603
- SMCC Warden, 874-2774
- SMCC Deputy Warden, 874-4766
- FSCC Warden, 872-6560
- FSCC Associate Warden, 872-6558
- ATYOF Warden, 678-2547
- NSYOF Warden, 766-6051
- NSYOF Deputy Warden, 766-6052

Court Services Division

The following is a list of Court Services Division staff, as well as the minimal requirement for each area.

NWT Courts
1 Administrator, 1 Finance Officer, 1 Administrative Court Officer

Minimal: 1 financial position

Supreme Court
5 Court Officers, 1 Manager

Minimal: 3 court officers

Territorial Court
Yellowknife - 6 Court Officers, 1 Manager

Hay River - 4 Court Officers, 1 Manager, 1 Administrative Court Officer, 1 Court Reporter, 1 Sheriff's Officer

Inuvik - 4 Court Officers, 1 Manager, 1 Administrative Court Officer

Minimal: 8 court officers

Sheriff's Office
6 Sheriff's Officers

1 Manager, 1 Jury Administrator/Sheriff's Officer

Minimal: 4 sheriff's officers

Court Reporters
3 Court Reporters, 1 Chief Court Reporter

Minimal: 2 court reporters

Judicial Support
Supreme Court - 2 Judicial Assistants – if both assistants are ill, either a court officer or the Deputy Minister's Executive Secretary will assist. Territorial Court - 1 Judicial Assistant – the Coordinator, JP Program will assist.

Minimal: 2 judicial assistants

Justice of the Peace Program
1 Coordinator – It is expected that the Territorial Court Judicial Assistant will cover for the JP Coordinator. If that person is unavailable, the casual administrative assistant may be able to assist.

Minimal: 1 coordinator

Court Library
1 Librarian

The Court Library will be closed if the librarian is ill and unable to report to work. Security Key Fob access will remain in place so that legal counsel may use the library as required.

Essential Activities

Essential activities include the full range of courts services required to support the four types/levels of courts in the NWT (Court of Appeal, Supreme Court, Territorial Court, Justice of the Peace Court), including administrative and security services during court sittings, filing of documents, distribution of monies, and security of personnel and environs within the Courthouse.

All activities except the library and the project coordinator are deemed essential.

Moving Staff

The decision on moving workers would depend on what the priorities are for the judiciary. For example, if only half of the court officers are available, the staff would be rescheduled, not moved.

Outgoing

Courts will not be able to support other parts of the Department (in the same or a different community) in the delivery of essential services.

Incoming

Short-term redeployment from other Divisions or departments would not be particularly helpful because of the specialized nature of the work, and training would require more time and effort than can be given. Long-term shortages would require outside help to fulfill the functions. The Division has implemented some training for backups.

Critical Linkages and Relationships

RCMP – prisoner transport

Legal counsel – for proper representation of clients.

Contact

- Primary: Director, Court Services, 920-8852
- Deputy: Courts Administrator, 873-7643

Finance Division

Staff: 11

Minimal staff requirements: 5 with certain key areas covered.

Essential Activities

Financial processing, facility maintenance, contracts and administration of trust and accounts

Moving Staff

Outgoing

The Finance Division can assist other Divisions with their financial processing. Finance staff are knowledgeable in other areas, specifically the Maintenance Enforcement Program, Corrections and Legal Registries.

Incoming

Staff from other Divisions who have some financial expertise could prove useful to the Finance Division. Some training in SAM would be required, and depending on the person coming in, that could take between a couple of hours to a full day.

Finance will fall back on central agencies, i.e. PWS for facility maintenance or the Finance Department itself if needed.

Finance Division has identified staff in other areas of the Department who have the skill sets required to be of help and will work with Division Directors to obtain these supports as required.

Critical Linkages and Relationships

All other Division – Finance manages accounts and trusts, among other financial administration processes.

Department of Finance – accept all transactions.

Contact

- Primary: Director, Finance, 873-7641
- Deputy: Manager, Financial Services, 873-7326
- Deputy: Manager, Accounting Services, 873-7669

Information Systems

Staff: 4

Minimal staff requirement: 1

Essential Activities

Maintaining the following systems, networks and essential applications:

- Active Receipting System –LREG
- Community Justice Information System
- Corrections HR Training- COMS
- Corrections Offender Management System
- Document Imaging Lookup Database
- FACTS
- LENEL Courthouse Security system
- NSCC VICON Video Recording System
- NSCC Card Access System
- NSCC Harding Intercom System
- NSCC Pelco Camera System (PTZ)
- Court Services Emergin Wireless Paging system (Judges Panic System)
- NSCC Inmate phone system
- NSCC Call Tracking Staff Phone system
- NSCC Security ID Creation Application (Hardware and Software)

Moving staff

Outgoing

Staff from Information Systems will not be available for re-deployment.

Incoming

IS would not be able to take in staff from other Divisions or departments, as the work is specialized and training would be too time-consuming for the remaining staff.

IS has contracted out maintenance services for some essential applications at certain Divisions, and could potentially hire some other contractors to come in and do some application help; network and systems maintenance would have to be kept in-house.

Critical Linkages and Relationships

Information Systems is the hub for all Divisions, and therefore its capacity affects all other Divisions. If only one IS staff was available, most daily business would cease, and that person would be supporting essential applications only. Any customized application would also be affected by a staff shortage at IS.

Contact

- Primary: Chief Information Officer, 873-7937
- Deputy: Senior Systems Analyst, 873-7233

Legal Aid Services Board Division

Staff:

5 administrative positions – no redeployment possible

9 court workers – could possibly bring in from the regions

10 lawyers – cannot be redeployed if court is in session

3 legal secretaries – could be redeployed

Minimal staff requirements: 3-4 at the admin office, depending on who is missing.

Essential Activities

Take in and process legal aid applications.

Provide legal representation.

Moving Staff

Outgoing

If courts are still running, Legal Services Board cannot redeploy lawyers. Court workers or legal secretaries could assist in other areas, or Division staff in other regions could help out, if court is not in session there.

Incoming

In case of staff shortage, most of the work would be reassigned in-house. Some administrative help could be useful, as well as staff with financial expertise if staff shortage affects that area in the Division.

Critical Linkages and Relationships

Members of Private Bar – result in prioritized work and potential delays.

Court Services – if the courts schedule is affected, this will result in prioritized work and potential delays.

Contact

- Primary: Executive Director, Legal Aid Services Board, 873-7450
- Deputy: Assistant Deputy Minister and Attorney General , 920-6197

Legal Division

Staff: 16 lawyers and two administration staff, is divided into three teams – Aboriginal Team, Litigation Team and Corporate Team

Minimum staff requirements: 10

Essential Activities

The Legal Division's essential activities are determined by clients, internally and externally imposed deadlines, as well as statutes of limitations. In the case of a pandemic, priority would also be given to the Department of Health and Social Services/Health Authorities and other departments on questions related to a pandemic. As well, much of the work required depends on what government-related matters are scheduled to be in courts or before an administrative tribunal.

Moving Staff

Outgoing

Legal Division can provide some support to other parts of the Department, such as Maintenance Enforcement or Court Services, subject to certain limitations such as conflict issues. In terms of support staff, Legal Division is limited in its flexibility since there are only two who serve 16 lawyers.

Legal Division counsel could fill in at Legal Aid if required.

Legal Division could continue to provide services if 30% to 40% of the staff were unavailable, although there may be some delays in the provision of non-essential services. No special arrangements are anticipated. In cases where individuals are not directly affected by illness but at home caring for sick dependents, so long as they have e-mail access it will be relatively easy for them to do some work from home.

Incoming

Staff from other departments would not likely be necessary, as most in the Legal Division can step in for each other as needed. However, information on availability of staff at Legal Aid could be useful, as some could come into Legal Division if required, if the department permitted it.

If the existing support staff is unavailable, assistance with financial processing will be required.

Critical Linkages and Relationships

The absence of personnel from other GNWT Departments and agencies that provide instructions to legal counsel might result in delays in obtaining instructions that are at times required promptly.

Legal counsel – ability to file documents in Court within required timeframes or to make court appearances, circumstances that would likely result in delays in the provision of advice to clients, thereby affecting a client's ability to meet their deadlines. General progress on matters may be delayed until alternate personnel are identified and authorized to provide instructions to legal counsel, or even to act as legal counsel.

Contact

- Primary: Director, Legal Division, 873-7787
- Deputies:
  - Legal Counsel, 920-3248
  - Legal Counsel, 920-3363
  - MEP Administrator, 920-3378

Legal Registries Division

Total staff: 18

Minimal staff requirements: 9, assuming certain key areas are covered.

Essential Activities

Everything the Division does is provided for in statute, and because it delivers services to public, all its activities are seen as essential.

Moving Staff

Outgoing

Due to the highly specialised nature of the work and statutory obligations, the ability of Division staff to work in other areas may be limited; however this would be determined on a case-by-case basis.

Incoming

Short-term redeployment from other Divisions or departments would not be particularly helpful because of the specialized nature of the work, as training would require more time and effort than can be given. Long-term shortages would require outside help to fulfill the functions. The Division has implemented some training for backups.

Critical Linkages and Coordination

N/A

Contact

- Primary: Gary MacDougall, Director, Legal Registries, 873-7490
- Deputy: Tom Hall, Manager, Land Titles, 920-8986
- Deputy: Donald MacDougall, Corporate Registries and Securities Office, 920-8984

Legislation Division

Staff: 9

Minimum staffing requirement: 4 assuming certain key areas are covered

Essential Activities

Preparation of regulations or orders under the *Public Health Act* or the *Civil Emergency Measures Act*.

All legislation, including regulations and orders, must be in English and French. The Director and one other Legislative Counsel, or two Legislative Counsel, are needed to draft and review each other's work assuming the absence of the usual editing function. Any one of the Director's Secretary, Legislative Coordinator, Editor/Administrator, or the French Legislative Secretary could input and properly format the legislation. The Manager, Legal Translation, or a contract legal translator can prepare the French version and any of the Legislative Coordinator, Editor/Administrator, or the French Legislative Secretary can input the French version.

Moving staff

Outgoing

Staff could likely be deployed elsewhere at DOJ or other departments, depending on the operational demands being made of Legislation Division. In addition, the Manager, Legal Translation, Legislative Coordinator, Editor/Administrator, French Legislative Secretary and one Legislative Counsel are proficient in French and English to varying degrees, and could provide services in both languages.

Assuming that each category mentioned in the Essential Activities section is represented, Legislation Division could function with four staff. If absolutely required, Legislation could function with one drafter and one legislative translator, and would adapt when it comes to editing and format issues.

Incoming

Moving staff in is not applicable as work is specialized and working and final drafts are done in a very particular format in WordPerfect. It is not reasonable to assume that non-trained staff from elsewhere in GNWT could offer practical assistance in the short term. Legislation Division staff would support each other before getting assistance from another Division or department.

Legislation has two "regular" legal translation contractors who are both past employees of the Legal Translation Section in Legislation Division. They can serve if the Manager, Legal Translation is unable to work or if the workload demands additional assistance.

Critical Linkages and Relationships

N/A

Contact

- Primary: Director, Legislation Division, 873-7462
- Deputy: Any of four Legislative Counsel, depending on who is healthy and available
  - Legislative Counsel 920-6341
  - Legislative Counsel, 873-7378
  - Legislative Counsel, 873-7199
  - Legislative Counsel, 920-8778

Maintenance Enforcement Program

Staff: 6

Minimum staff requirement: 3

Essential Activities

Monitor, enforce and collect payments from debtors, either court-ordered or agreed payments.

Moving Staff

Outgoing

MEP can function with three staff, including the administrator. MEP staff could likely help any other DOJ Division, specifically Court Services and Corrections (administration work) or potentially FMBS, as staff at MEP have experience with collections. The MEP receptionist could also be redeployed if required.

Incoming

While the Division could manage with two people for a day or two, a longer period would require getting someone from elsewhere in the Department. That person (possibly someone from Court Services) would likely need to be familiar with court process and court documents.

Incoming staff would require the ability to deal with upset or angry clients. The Division could provide a pared down version of its new staff guidelines as training to redeployed staff.

The Receptionist in the Division is familiar with the programs and clients, and could be temporarily reassigned in house, but there would then be a requirement for a support staff to fill that role. The Division has identified skills required and will use the redeployment process as required.

Critical Linkages and Relationships

NWT Courts – processing legal documents

Sheriff's Office – processing incoming garnishee summons payments, establishment of writs

Department of Transportation (Motor Vehicles) – driver's licence suspensions

Legal Division (Justice) – legal support/advice

Finance (Justice) – review signing of cheques and disbursement register

Contact

- Primary: MEP Administrator, 920-3236
- Deputy: Senior Maintenance Enforcement Officer 920-3378

Policy and Planning Division

Staff: 11

Minimum staff requirements: 3

Essential Activities

There are no essential services in Policy and Planning. However, there is one position, the policy advisor on information and privacy that could have time-sensitive obligations as ATIPP legislation mandates a reply to requests for information in a specific timeframe. Currently, there is only one person with the expertise to do this job. Access/privacy coordinators in other GNWT departments would be asked to provide support as required.

Moving Workers

Outgoing

With the exception of the positions doing specialized functions (i.e. policy advisor on information and privacy), staff could be readily moved to fill essential services in other Divisions or departments if skill sets match the need. Policy and Planning would then either scale back on projects as required or reassign staff internally. About 75% of the staff could be redeployed, but this would have a very large impact on the Division's work. The decision to move that many staff would mean other work and functions would be suspended or delayed.

While it might be possible to have the access/privacy staff (1 advisor, 1 analyst) redeployed if their specialized work dropped during the period of the outbreak, this would not be the case if activities continued at the current "normal" level.

Incoming

Policy and Planning would likely not require any outside help in case of a pandemic, unless the legislated, time-sensitive functions associated with meeting access-to-information requests were impacted by an absence in the access/privacy position. Should this happen, the Division would likely contact other departments to determine if a minimum level of assistance might be possible.

Critical Linkages and Relationships

The Division provides corporate support to the Directorate and Minister's Office, and serves as a coordinating "hub" and point of information exchange with other Divisions, departments and, for some activities, other governments. Disruption of these services may have an impact on the ability to advance work through interoffice and interdepartmental means.

Contact

- Primary: Director, Policy and Planning, 920-3225
- Deputy: Senior Policy Analyst, 920-3131

Public Trustee's Office

Staff: 4

Minimum staff requirement: 2

Essential Activities

Receiving funds and disbursing funds for estates of deceased persons, mentally incapable persons and minor children.

Moving Staff

Outgoing

Staff at the Public Trustee's Office will be able to provide support to other Divisions or departments, primarily in the administrative area.

Incoming

The Public Trustee's Office has only four staff, and can function for short periods with two. This has happened when staff are on leave or sick.

Depending on the position, incoming staff would require skills such as legal knowledge, computer data entry, reception, typing, filing, draft documents, etc.

Critical Linkages and Relationships

Public Guardian: This is a function that falls under the Department of Health and Social Services. Trusteeship and guardianship issues often go hand-in-hand, however, so it will be critical to maintain this.

Contact

- Primary: Public Trustee, 873-7464
- Deputy: Assistant Deputy Minister and Attorney General , 920-6197

Rental Office

Staff: 1 (administrative support) and a Contractor who acts as the Rental Officer

Minimum staff requirement: Can be closed for short periods of time

Essential Activities

The functions performed by this office are required over the longer term, but are not essential over the short term which can permit the office to be closed for short periods of time.

Moving Staff

Outgoing

Staff can provide limited support to other divisions over the short term, such as Court Services and Legal Registries, subject to conflicts of interest.

Incoming

The Rental Office has only one staff and can close for short periods. This has happened when staff are on leave or sick.

Incoming staff would require skills such as knowledge of basic legal procedures (i.e. service of documents, hearing procedures) and word processing and data entry. Staff must be capable of transmitting information accurately.

Critical Linkages and Relationships

Contact

- Primary: Office Administrator, 920-8047
- Deputy: Assistant Deputy Minister and Attorney General , 920-6197